

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The rejection of Claim 1 under 35 U.S.C. 102(b) as being anticipated by Wasemann (US 4,502,303) is withdrawn in response to Applicant's amendments.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Fishman on March 31, 2010.

The application has been amended as follows:

Please amend Claim 2 as follows:

- In line 1, please replace the phrase --, connectable-- with the phrase --for connecting--
- In line 2, after the phrase --U-shaped cross-section-- please delete the word --for--

Please amend Claim 4 as follows:

- In line 1, please replace the phrase --, connectable-- with the phrase --for connecting--
- In line 2, after the phrase --U-shaped cross-section-- please delete the word --for--

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance: The prior art fails to disclose, or render obvious, a counterweight for connecting to a washing machine tub (2), comprising an hollow shell (3) of U-shaped cross-section containing a concrete ballast mass (4) poured therein, wherein said shell (3) is integrally provided in one piece with at least a foldable member (5) adapted to close at least a portion of said shell (4) in order to encapsulate said concrete ballast mass (4), wherein said foldable member (5) comprise a cover extending from a peripheral edge (8) of said shell (3) in correspondence to enlarged lower portions (6) thereof said peripheral edge (8) integrally provides pivotal sections (9) adapted to facilitate the rotation of said foldable member (5) around the peripheral edge (8) so that the ballast mass contained in the enlarged lower portion (6) are covered by said foldable member (5), as in Claim 1, or
5. a counterweight for connecting to a washing machine tub (2), comprising an hollow shell (3) of U-shaped cross-section containing a concrete ballast mass (4) poured therein, wherein said shell (3) is integrally provided in one piece with at least a foldable member (5) adapted to close at least a portion of said shell (4) in order to encapsulate said concrete ballast mass (4), wherein a peripheral edge (8) of said shell

(3) integrally provides pivotal sections (9) adapted to facilitate the rotation of the foldable member (5) around the peripheral edge (8), as in Claim 4.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CORMIER whose telephone number is (571) 270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/

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Supervisory Patent Examiner, Art
Unit 1711

/DGC/
David Cormier
03/31/2010